

## Abstract

The topic of this diploma thesis is “Criminal Law and Criminological Aspects of Stalking.” This phenomenon is well known in history, nevertheless it was only few years ago, that it became a criminal offence. The Czech Republic implemented new definitions of stalking into the provision § 354 act no. 40/2009 Sb. of the Penal code, taking effect on January 1, 2010. Stalking represents a wide range of possible unpredictable forms of harassment, therefore it is necessary to approach this topic from an interdisciplinary point of view.

This diploma thesis is divided into 6 chapters, which are presented in a logical order. In the “Introduction”, the problem of defining the subject of stalking is presented, together with general information regarding stalking. This is necessary in order to enable a deeper understanding of the phenomenon. The introductory chapter also touches on the history of stalking and the reasons for having anti-stalking laws in the Czech Republic and elsewhere.

The Criminological section shows the personality of the stalker and his victim and the typology is elaborated. The aim of this part is to delineate the basic characteristic traits of people, who become either potential perpetrators or their victims, together with a view of a typical victim’s life, as well as possible methods of defence against stalking.

The paper investigates stalking through the lens of substantive criminal law in the Czech Republic. It summarizes and reviews the obligatory symbols of the basic and qualified definitions of stalking and focuses on controversial issues, defined by contradictory claims of experts and shows problems regarding their application in praxis.

Substantial attention is also given to the definition of the relevant institutes of criminal procedural law and the tools for protection of victims in non retributive prescriptions. The last chapter is devoted to a comparison of domestic and Slovak stalking legislation.

In the conclusion, the proposals *de lege ferenda* are listed in relation to the problem of stalking.